

<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 6425 Eastern Avenue		

**TO** Mr. David Tanner, Executive Director  
Board of Municipal and Zoning Appeals  
417 East Fayette Street, 14<sup>th</sup> Floor

DATE: November 2, 2011

### REQUEST

The Department of Planning has received Corporate Images Inc.'s Board of Municipal and Zoning Appeals (BMZA) application to construct a walk-up detached ATM (automated teller machine) building measuring approximately 7'6" by 4' (and 10'9" tall). We understand that this appeal is scheduled for hearing on November 22, 2011.

### SITE

6425 Eastern Avenue is part of a gasoline service station located on the southwest corner of the intersection with Kane Street. This property measures approximately 93' by 132'6" and is currently improved in common and used in common with Block 6699, Lot 5/6 that adjoins it to the east as a retail gasoline service station with a canopy and integral service station kiosk and a separate car wash building. This site is zoned B-3-2 and is located within the Southeast Neighborhoods Development (SEND) Strategic Neighborhood Action Plan area.

### ANALYSIS

Use: In this zoning district, automatic teller machines are a permitted use, and so are allowed (§6-406). In this case, the property was last authorized for use as an automobile service station, which is a conditional use in this B-3 Community Commercial District. This appeal is before the Board as a modification of a previously-approved conditional use.

Change in Conditional Use: Any change to that use, including any expansion, relocation, or structural alteration, is subject to the procedures and requirements imposed by this article on conditional uses (§3-306.b.2). The proposed ATM structure is technically an expansion of the conditional use. The structure would be placed near the western lot line, where no interior side yard is required.

Land Use and Urban Design: The site plan provided with this application shows two head-in parking spaces between the proposed ATM structure and the principal entrance to the service station pump area from Eastern Avenue. Vehicles using these spaces would be required to back into or across customer traffic entering the property from Eastern Avenue. This represents a potential circulation hazard within the property as well as a potential stacking problem on Eastern Avenue if several vehicles are attempting to turn from eastbound Eastern Avenue into this service station. The site plan for this proposed ATM structure must be revised to place the parking spaces being added in support of the ATM at a greater distance from Eastern Avenue. The applicant should work with the Site Plan Review Committee to devise an approvable site plan for this proposed improvement.

**RECOMMENDATION**

The Department of Planning recommends that approval of this appeal, if granted, be conditional upon the applicant obtaining Site Plan Review Committee approval for the location of the ATM structure and related parking spaces.

TJS/wya/mf

cc: Corporate Images Inc., Appellant